

Refinements to Maine Unified Special Education Regulations Fall 2012

Section	Page	Change	Reason
II Definitions	8	Refined def of informed clinical opinion	Inserted new federal definition of informed clinical opinion
	9	Modified the def. of IEU	State statutory revision Spring 2012
	10	Added a definition of Qualified personnel	Clarification
IV Responsibility for Child Find, Early Intervention and Special Education	16-20	Changed references to CDS boards to State IEU or site as applicable	Statute was revised to delete boards
	17	Added parent consent	Federal Part C definition
	18	Added federal Part C language regarding health assessment	Verbatim federal language required by the US Department of Education
	19	Added federal Part C language regarding informed clinical opinion	Verbatim federal language required by the US Department of Education
	20	Added federal language regarding family assessment	Verbatim federal language required by the US Department of Education
	20	Added term “post referral”	New term in the federal Part C regulations
	39-40	Added three new items to the Responsibility for Special Education Services – Education in the Unorganized	Clarification of responsibilities in these three types of schools

		Territories, Maine School of Science and Mathematics, and Charter Schools	
VI. Individualized Plan Team Membership	59	Added language regarding the authorized individual to expend public funds that reflects that the individual has <i>written delegation of that authorization by the responsible SAU to the SAU in which the child is placed.</i>	Clarification of authority
	60-61	Changed references from regional board to director	Statutory change deleted boards
VII. Eligibility Criteria and Procedures for Determination	74	Inserted new federal definition of informed clinical opinion	New federal definition of informed clinical opinion
	75	Moved the two paragraphs regarding the need for special education from page 89	To be clear that needs special education and related services is part of the eligibility determination for all the disability types
	84	Added a fourth procedure item under specific learning disability addressing English Language Learners	Clarification
	91-92	Refined the Criteria for Change in Eligibility	Clarity of wording

VIII. Eligibility for FAPE	93-94	Replaced the current regulatory language with the new statute language	Statutory revision
IX. Individualized Plans	96	Added federal Part C language re transition from Part C services	Verbatim federal language required by the US Department of Education
	98	Updated the references to the Early Learning Guidelines to Standards and to the Learning Results which may include a core of standards.....	Reflection of new title for the Early Learning and Development Standards and the updated statutory reference to the core of standards
X. Early Intervention and Special Education Services and Settings	113, 125-126	Clarified caseload and case management	Clarification
	113	Added language that consultation may be provided to special educators by related services personnel or educational consultants.	
	117	Added Services provided by a Board Certified Behavior Analyst	Clarification
	117	Added Teacher of Record	Clarification
	118-120	Updated the qualifications chart regarding how Maine meets the requirements	Revised to reflect what Maine has in place after the HOUSSE

XI. Early Intervention Services and Related Services	133	Added qualified staff for vision services for B-2s	Federal Part C language required by the US Department of Education
	139	Added a national standard for qualifications for assistive technology professionals	Maine did not have a qualification standard for this discipline.
	143	Added qualification for nutrition services	Federal Part C language required by the US Department of Education
XII Program Approval	145	Added language requiring application requirement to include <i>‘capacity to provide a safe, healthy, and appropriate educational environment.’</i>	Clarification
XVI. Dispute Resolution Procedures	156-186	Refined the language throughout the section to be more reader friendly	Increase readability
XVIII. Special Education Finance	202	Deleted the references to the 140% of the Medicaid rate	Resolve confusion
	205-207	Added federal Part C language re policies related to the use of public benefits or insurance or private insurance to pay for Part C services	Verbatim Part C language required by the US Department of Education

